

1 A bill to be entitled
2 An act relating to building construction; amending s.
3 553.79, F.S.; requiring local building code
4 administrators, plans examiners, or inspectors to
5 provide certain information to the local enforcing
6 agency under certain circumstances; prohibiting local
7 enforcing agencies from making or requiring
8 substantive changes to plans or specifications after a
9 permit has been issued; providing exceptions;
10 requiring local enforcing agencies that require
11 substantive changes to plans or specifications after a
12 permit has been issued to provide certain information
13 to the permitholder in writing; providing that a plans
14 examiner, inspector, or building code administrator is
15 subject to disciplinary action under certain
16 circumstances; amending s. 633.208, F.S.; requiring
17 local fire officials to provide certain information to
18 a permit applicant if building plans do not comply
19 with the Florida Fire Prevention Code or the Life
20 Safety Code; prohibiting a municipality, county, or
21 special district from making or requiring substantive
22 changes to building plans after a permit has been
23 issued; providing exceptions; requiring a local fire
24 official to provide certain information to the
25 permitholder if a municipality, county, or special

26 district requires substantive changes to building
 27 plans after a permit is issued; providing that a local
 28 fire official who is a certified firesafety inspector
 29 is subject to disciplinary action under certain
 30 circumstances; providing an effective date.

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32 Be It Enacted by the Legislature of the State of Florida:

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34 Section 1. Subsection (2) of section 553.79, Florida
 35 Statutes, is amended to read:

36 553.79 Permits; applications; issuance; inspections.—

37 (2) (a)1. Except as provided in subsection (8), an
 38 enforcing agency may not issue any permit for construction,
 39 erection, alteration, modification, repair, or demolition of any
 40 building or structure until the local building code
 41 administrator or inspector has reviewed the plans and
 42 specifications required by the Florida Building Code, or local
 43 amendment thereto, for such proposal and found the plans to be
 44 in compliance with the Florida Building Code. If the local
 45 building code administrator or inspector finds that the plans
 46 are not in compliance with the Florida Building Code, the local
 47 building code administrator or inspector shall identify the
 48 specific plan features that do not comply with the applicable
 49 codes, identify the specific code chapters and sections upon
 50 which the finding is based, and provide this information to the

51 | local enforcing agency. If the building code administrator,
52 | plans examiner, or inspector requests another local enforcing
53 | agency employee or a person contracted by the local enforcing
54 | agency to review the plans and that employee or person
55 | identifies specific plan features that do not comply with the
56 | applicable codes, the building code administrator, plans
57 | examiner, or inspector must provide this information to the
58 | local enforcing agency. The local enforcing agency shall provide
59 | this information to the permit applicant.

60 | 2. ~~In addition,~~ An enforcing agency may not issue any
61 | permit for construction, erection, alteration, modification,
62 | repair, or demolition of any building until the appropriate
63 | firesafety inspector certified pursuant to s. 633.216 has
64 | reviewed the plans and specifications required by the Florida
65 | Building Code, or local amendment thereto, for such proposal and
66 | found that the plans comply with the Florida Fire Prevention
67 | Code and the Life Safety Code. Any building or structure which
68 | is not subject to a firesafety code shall not be required to
69 | have its plans reviewed by the firesafety inspector.

70 | 3. Any building or structure that is exempt from the local
71 | building permit process may not be required to have its plans
72 | reviewed by the local building code administrator. Industrial
73 | construction on sites where design, construction, and firesafety
74 | are supervised by appropriate design and inspection
75 | professionals and which contain adequate in-house fire

76 departments and rescue squads is exempt, subject to local
77 government option, from review of plans and inspections,
78 providing owners certify that applicable codes and standards
79 have been met and supply appropriate approved drawings to local
80 building and firesafety inspectors.

81 4. The enforcing agency shall issue a permit to construct,
82 erect, alter, modify, repair, or demolish any building or
83 structure when the plans and specifications for such proposal
84 comply with the Florida Building Code and the Florida Fire
85 Prevention Code and the Life Safety Code as determined by the
86 local authority in accordance with this chapter and chapter 633.

87 (b) After the local enforcing agency issues a permit, the
88 local enforcing agency may not make or require any substantive
89 changes to the plans or specifications except changes required
90 for compliance with the Florida Building Code, the Florida Fire
91 Prevention Code, or the Life Safety Code, or local amendments
92 thereto. If a local enforcing agency makes or requires
93 substantive changes to the plans or specifications after a
94 permit is issued, the local enforcing agency must identify the
95 specific plan features that do not comply with the applicable
96 codes, identify the specific code chapters and sections upon
97 which the finding is based, and provide the information to the
98 permitholder in writing.

99 (c)1. A plans examiner or inspector who fails to provide
100 the building code administrator with the reasons for making or

101 requiring substantive changes to the plans or specifications is
102 subject to disciplinary action against his or her certificate
103 under s. 468.621(1)(i).

104 2. A building code administrator who fails to provide a
105 permit applicant or permitholder with the reasons for making or
106 requiring substantive changes to the plans or specifications is
107 subject to disciplinary action against his or her certificate
108 under s. 468.621(1)(i).

109 Section 2. Subsection (2) of section 633.208, Florida
110 Statutes, is amended to read:

111 633.208 Minimum firesafety standards.—

112 (2)(a) Pursuant to subsection (1), each municipality,
113 county, and special district with firesafety responsibilities
114 shall enforce the Florida Fire Prevention Code as the minimum
115 firesafety code required by this section.

116 (b) If a municipality, county, or special district
117 determines that the building plans for a building permit
118 application do not comply with the Florida Fire Prevention Code
119 or the Life Safety Code, or local amendments thereto, the local
120 fire official must identify the specific plan features that do
121 not comply with the applicable codes, identify the specific code
122 chapters and sections upon which the determination is based, and
123 provide this information to the permit applicant.

124 (c) After a municipality, county, or special district
125 issues a building permit, it may not make or require any

126 substantive changes to the building plans except those required
 127 for compliance with the Florida Fire Prevention Code or the Life
 128 Safety Code, or local amendments thereto. If a municipality,
 129 county, or special district makes or requires substantive
 130 changes to building plans after a permit is issued, the local
 131 fire official must identify the specific plan features that do
 132 not comply with the Florida Fire Prevention Code or the Life
 133 Safety Code, or local amendments thereto, identify the specific
 134 code chapters and sections upon which the finding is based, and
 135 provide this information to the permitholder.

136 (d) A local fire official who is also a certified
 137 firesafety inspector and who fails to comply with paragraph (b)
 138 or paragraph (c) is subject to disciplinary action against his
 139 or her certificate under s. 633.216(5)(f).

140 Section 3. This act shall take effect July 1, 2023.